

PATENT  
Docket No. 265.00090101IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Pasricha et al. ) Group Art Unit: 1632  
Serial No.: 09/834,110 ) Examiner: Joseph T. Voitach  
Confirmation No.: 5306 )  
Filed: April 12, 2001 )  
For: TREATMENT OF DISORDERS BY IMPLANTING STEM CELLS AND/OR  
PROGENY THEREOF INTO GASTROINTESTINAL ORGANS

**FAX RECEIVED**

AUG 28 2003

**GROUP 1600**FACSIMILE TRANSMISSION TO THE PTO

Assistant Commissioner for Patents  
Attn: Mail Stop RCE  
P.O. Box 1450  
Alexandria, VA 22313-1450

FAX NUMBER: 703-872-9307  
Total Pages (including cover page): 7  
Time: 2:21 pm (Central Time)  
(Transmission must be complete by  
midnight eastern time.)

**OFFICIAL**

The following papers are being transmitted to the Patent and Trademark Office by facsimile transmission: Request for Continued Examination (RCE) Transmittal (1 pg); Petition for Extension of Time (1 pg); Supplemental Response (4 pgs.)

X Small Entity Status is entitled to be asserted in the above-identified application.

Please charge Deposit Account No. 13-4895 for the following amounts:

\$375.00 - Request for Continued Examination (RCE) fee

\$150.00 - Petition for Extension of Time Fee

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 13-4895.

Mueting, Raasch & Gebhardt, P.A.

Customer Number: 26813

August 27, 2003  
Date

By: Nancy A. Johnson  
Nancy A. Johnson  
Reg. No. 47,266  
Direct Dial (612)305-4723

**CERTIFICATE UNDER 37 C.F.R. §1.8:** The undersigned hereby certifies that this Facsimile Cover Sheet and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office addressed to Assistant Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27<sup>th</sup> day of August, 2003, at 2:21 pm (Central Time).

August 27, 2003  
Date

Signature: Sara E. Olson  
Name: Sara E. Olson

If you do not receive all pages, please contact us at (612)305-1220 (ph) or (612)305-1228 (fax).

PTO/SB/30 (5/2000)  
Approved for use through 10/1/2003. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/834,110
Filing Date	April 12, 2001
First Named Inventor	Pasricha et al.
Group Art Unit	1632
Examiner Name	Joseph Woitach
Attorney Docket Number	265.00090101

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on July 25, 2003  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Supplemental Response (4 pgs.)

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☒ Other Petition for Extension of Time (1 pg.)

## 3. Fees

- The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-4895
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Nancy A. Johnson	Registration No. (Attorney/Agent)	47,266
Signature	<i>Nancy A. Johnson</i>	Date	August 27, 2003

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this document and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office addressed to Assistant Commissioner for Patents, Mail Stop RCE, P.O. Box 1450, Alexandria, VA 22313-1450, on this 27th day of August, 2003, at 2:21pm (Central Time).

Name (Print/Type)	SARA E. OLSON	Date	Aug. 27, 2003
Signature	<i>Sara E. Olson</i>		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.

PATENT  
Docket No. 265.00090101

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Pasricha et al.	)	Group Art Unit:	1632
		)		
Serial No.:	09/834,110	)	Examiner:	Joseph T. Woitach
Confirmation No.:	5306	)		
		)		
Filed:	April 12, 2001	)		
		)		
For:	TREATMENT OF DISORDERS BY IMPLANTING STEM CELLS AND/OR PROGENY THEREOF INTO GASTROINTESTINAL ORGANS			

---

SUPPLEMENTAL RESPONSE

Assistant Commissioner for Patents  
Mail Stop RCE  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Advisory Action mailed August 12, 2003, the Examiner is requested to consider the following remarks.